

**REMARKS:**

**REMARKS REGARDING AMENDMENT OF THE CLAIMS:**

Claims 1, 3, 7, 8, 9, 11, 12 and 13 have been amended. Request is made for entry of new claims 17 – 22 that are believed to be allowable. The new claims find support in the description and figures, particularly Figure 1 and Figure 3 of the present application.

Claims 1 – 22 are pending in the present application.

**REMARKS REGARDING OBJECTION TO CLAIMS:**

Claims 1 and 13 were objected to because of informalities as follows:

Claim 1 line 11 lacked antecedent basis for “the shape.” The error has been corrected by insertion of --a shaped portion--.

Applicants were unable to understand the basis for objection to claim 13 since the replacement --prevented--, suggested by the Examiner, was identical to term “prevented” that was objected to. Request is made for clarification of the objection.

**REMARKS REGARDING REJECTION OF THE CLAIMS UNDER 35 USC §112**

Claim 7 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 has been amended to depend from claim 6 that recites “a second stub” and provides antecedent basis for this limitation of claim 7.

**IN RESPONSE TO THE OFFICE ACTION:**

**REJECTION UNDER 35 U.S.C. § 102:**

Claims 1, 2 and 4 - 7 were rejected under 35 U.S.C. §102(b) as being anticipated by B.A. Swennes et al. (U.S. 2,044,649). For there to be anticipation under 35 U.S.C. §102, “each and every element” claimed by the present invention must be found either expressly or inherently described in the reference of Swennes et al.

Swennes teaches connection of mounting units having threaded bolts at opposing ends for substantially simultaneous mounting. The bolts provide secure attachment of the power unit on one side of the mounting unit and to the frame, on the other, using securing nuts and lock washers advanced along each of the threaded bolts (see e.g. the description page 2, column 1, lines 11 – 15 and installed mounting unit structures of Figs. 6, 14 and 16 and associated description). Illustration of installed mounting units clearly teaches the need for two points of secure attachment of the mounting unit, one to the vehicle frame and the other to the power unit.

Amended claim 1 of the present invention clarifies that a spring element according to the present invention uses only “a single coupling” to either the frame of the vehicle or the wheel axle for complete installation of the spring element, to transmit compression forces and tensile forces between the vehicle frame and the wheel axle. Use of a single coupling, i.e. only one point of attachment of the spring element to the vehicle, is not taught by Swennes et al. The single coupling provides improvement by facilitating insertion and removal of the spring element from the space that may be limited between the vehicle frame and the wheel axle during fitting/dismantling (please see paragraph [0016] of published application U.S. 2004/0178549).

In view of the above, Applicants request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b). Clarification by amendment of claim 1 provides evidence that Swennes et al. fails to describe each and every element of the present invention.

Claims 2 and 4 - 7 were also rejected under 35 U.S.C. §102(b) as being anticipated by B.A. Swennes et al. Each of claims 2 and 4 - 7 has dependency from claim 1 adding further limitation thereto. For this reason, applicants request reconsideration of claims 2 and 4 - 7 and withdrawal of rejection of these claims.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 1, 2, 4, 6, 7, 12 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. (U.S. 4,615,513) in view of Swennes et al.

Amendment of independent claims 1 and 12 of the present invention clarifies that a spring element according to the present invention uses only “a single coupling” to either the frame of the vehicle or the wheel axle to complete installation of the spring element. Use of a single coupling; i.e., only one point of attachment of the spring element to the vehicle, is not taught either by Thaung et al. or by Swennes et al. The single coupling provides improvement by facilitating insertion and removal of the spring element during fitting/dismantling (please see paragraph [0016] of published application U.S. 2004/0178549).

Previous discussion indicates that the references of Thaung et al. and Swennes et al. fail to provide a *prima facie* case of obviousness because they neither teach nor suggest all of the limitations of claims of the present invention. Therefore, Applicants request the reconsideration and withdrawal of the rejection of claims 1 and 12 under 35 U.S.C. §103(a).

Claims 2, 4, 6, 7, 12 and 16 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. in view of Swennes et al. Each of claims 2, 4, 6 and 7 has dependency from claim 1 and claim 16 depends from claim 12 adding further limitation thereto. For this reason, applicants submit that rejection of claims 2, 4, 6, 7 and 16 should be withdrawn followed by notification of allowance of these claims.

Claims 8 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. '513 in view of Swennes et al. '649 and in view of Imaizumo (US 4,875,560).

Independent claim 8 has been amended to recite the use of “a single coupling” as discussed above. Claim 11 depends from claim 8 adding further limitation thereto. Clarification of the present invention by amendment of claim 8 provides evidence that at least the references of Thaung et al. and Swennes et al. are ineffective in support of rejection of claims under 35 U.S.C. §103(a). For this reason Applicants submit that amendment of claim 8 overcomes rejection of the present invention over the combined references of Thaung et al.; Swennes et al; and Imaizumo, which is applied only in support of a shaped hole..

Accordingly, applicants request reconsideration and withdrawal of the rejection of claim 8 and claim 11 that depends from claim 8 and should likewise be allowed.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. in view of Swennes et al. and in view of Imaizumo as applied to claim 8 above, and further in view of Ridenour (U.S. 5,658,025).

Claim 9 depends from amended claim 8, which is believed to be allowable. Dependent claim 9 should likewise be allowed.

Applicants request reconsideration and withdrawal of the rejection of claim 9.

Claims 3, 5, and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. in view of Swennes et al. as applied to claims 1 and 12 above, and further in view of Brown (US 4,138,198).

Claims 3 and 5 depend from amended claim 1. Claim 15 depends from claim 12. For reasons presented previously it is believed that claims 1 and 12 are allowable. Dependent claims 3, 5 and 15 should likewise be allowed.

Applicants request reconsideration and withdrawal of the rejection of claim 3, 5 and 15.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. in view of Swennes et al. as applied to claim 8 above, and further in view of Brown.

Claim 10 depends from amended claim 8, which is believed to be allowable as indicated above. Dependent claim 10 should likewise be allowed.

Applicants request reconsideration and withdrawal of the rejection of claim 10.

Claim 13, was rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. in view of Swennes et al. as applied to claim 12 above, and further in view of Imaizumo.

Claim 13 depends from amended claim 12, which is believed to be allowable. Dependent claim 13 should likewise be allowable.

Applicants request reconsideration and withdrawal of the rejection of claim 13.

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Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Thaung et al. in view of Swennes et al. applied to claim 12 above, and further in view of Ridenour.

Claim 14 depends from amended claim 12, which is believed to be allowable. Dependent claim 14 should likewise be allowable.

Applicants request reconsideration and withdrawal of the rejection of claim 14.

Applicants have made an earnest attempt to respond to all the points included in the Office Action and, in view of the above, submit that the claims are in condition for allowance. Consequently, request is respectfully made for reconsideration of the application and notification of allowance of claims 1 - 22 in the next paper from the Office.

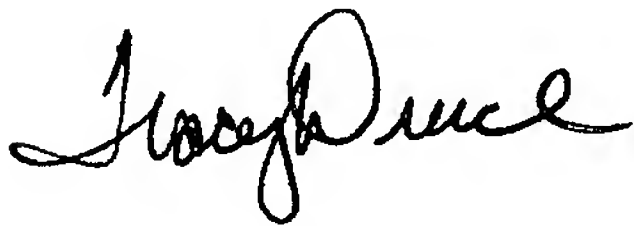
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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Order No. 07589.0160.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,



Tracy W. Druce  
Patent Attorney  
Reg. No. 35,493  
Tel. 713.571.3400